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MEMBER: N.Y. & N.J. BAR

February 11, 2022

MEMO ENDORSED

Via email & ECF
Honorable Laura Taylor Swain
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: **United States v. David Georgescu, 19-Cr.-651 (LTS)**

Dear Judge Swain:

As the Court is aware, David Georgescu is a 64-year-old inmate at MDC who has a history of medical problems that have been documented during the course of this case. The Defense spoke with him this afternoon to confirm his preference for an in-person sentencing, and he advised that he is yet again suffering through a medical crisis without adequate medical care.

In our sentencing memorandum, we discussed the rash that he has been experiencing for the past several weeks. Today he advised that it has gotten much worse in the last week. He now has huge 1.5" round pus-filled blisters over his face and scalp, including one by his right ear that is so large it is nearly impossible to see out of his right eye. He has not been seen by a doctor and the nurse who saw him last week gave him a cream that is not helping. He has not yet received any information about the result of the blood work that was done last week. He does not know what is wrong, but it is clear that the condition is getting worse.

Following our conversation with Mr. Georgescu, the Defense contacted MDC Legal to request that Mr. Georgescu be urgently seen by a dermatologist, either at MDC or at an outside facility. A few minutes ago, we received (from the Government) a copy of Mr. Georgescu's most current medical records, indicating that he was last seen on February 9, 2022. He was treated with Sulfamethoxazole/Trimeth, which is apparently used to treat infections including "urinary tract infections, middle ear infections (otitis media), bronchitis, traveler's diarrhea, and shigellosis (bacillary dysentery)."¹

¹ See <https://www.mayoclinic.org/drugs-supplements/sulfamethoxazole-and-trimethoprim-oral-route/description/drg-20071899>

The blood test results appear to indicate a Vitamin D deficiency for which Mr. Georgescu was to receive a supplement and counseling on the importance of a healthy diet. There is no indication in the medical records that his diet has, in fact, been changed. Nor did Mr. Georgescu know of this diagnosis in our conversation today, indicating that it is unlikely the medical conclusion of a Vitamin D deficiency has been shared with him.

MDC Legal has not responded directly to our request for treatment or confirmed that he will be seen by a competent dermatologist. The only communication that the Defense received from the BOP was an email from Adam Johnson indicating that he had directed MDC Legal to “contact medical staff to address as appropriate.” We are grateful for Mr. Johnson’s response but left uncertain whether MDC will actually have Mr. Georgescu evaluated and treated by a competent doctor.

In light of these developments, we very respectfully ask the Court to Order that Mr. Georgescu be taken to a dermatologist for a full evaluation and treatment without delay, and that the Defense be kept apprised of his medical situation.

I thank the Court for its attention to this matter.

Respectfully,

_____/s/_____
Donna R. Newman

Cc: AUSA Robert Sobelman
AUSA Elizabeth Hanft
AUSA Samuel Rothschild

The Court acknowledges defense counsel’s request for medical attention. The Office of the United States Attorney, to which this order will be emailed, is directed to deliver a copy of this order promptly to the MDC, which is in turn directed to provide necessary medical attention and to keep defense counsel apprised of Mr. Georgescu’s medical condition. The Government must file a status report detailing the arrangements that are being provided by 5:00 p.m. on Monday, February 14, 2022.

SO ORDERED.

/s/ Laura Taylor Swain, Chief USDJ 2/11/2022